**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD**

## HON'BLE Mr. JUSTICE R. SUBHASH REDDY

**Writ Petition No.21460 of 2006**

**Dated: October 16, 2006**

**Between:**

B. Rajendra Prasad, S/o. Satyanarayana, Aged about 48 years, R/o. D.No.124, Bhagath Singh Nagar, B Zone, Post Ramakrishnapur, Adilabad District.

… Petitioner

And

The Singareni Collieries Company Ltd. (A Govt. of India Company), rep. by its Managing Director, Kothagudem, and another

… Respondents

## Order:

This Writ Petition has been filed questioning the order dated 29-07-2006, whereby the petitioner was reverted from Grade 'D' as Chainman to Grade 'F' as Assistant Chainman.

2. Heard learned counsel for the petitioner and learned Standing Counsel appearing for the respondent-Company.

3. Facts of the case in brief are:

Petitioner, who was initially appointed in the respondent-Company as Worker-Trainee, after working in various capacities, was promoted to the post of Chainman Grade 'D'. Departmental proceedings were initiated against him by framing certain charges and an Enquiry Officer was appointed. Basing on the report submitted by the Enquiry Officer, final order of punishment was passed reverting the petitioner from Grade 'D' as Chainman to Grade 'F' as Assistant Chainman.

4. Learned counsel for the petitioner would contend that if the petitioner had to be reverted, respondents could have reverted him to Grade 'E', but they have reverted him to Grade 'F' straightway, which is not permissible. He also points out certain lapses in the conduct of enquiry.

5. Against the impugned order, the petitioner has a remedy of appeal to the notified appellate authority under Clause 29 of the Standing Orders of the Singareni Collieries Company Limited. In that view of the matter, there is no special reason to entertain this writ petition, by-passing the remedy of appeal available to the petitioner.

6. In view of the fact that there is remedy of appeal to the petitioner under Clause 29 of the Standing Orders of the Company,

I deem it appropriate to dispose of the writ petition permitting the petitioner to prefer an appeal to the notified appellate authority against the impugned order within a period of four weeks from today. On such appeal being preferred, the appellate authority shall consider the same and pass appropriate orders on its own merits, within eight weeks from the date of filing the appeal, without reference to limitation.

7. Subject to the above directions, the Writ Petition is disposed of.

No order as to costs.

_____

**JUSTICE R. SUBHASH REDDY.**

October 16, 2006
**MRR**